

1 The Honorable Michelle L. Peterson
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10 UNITED STATES DISTRICT COURT FOR THE
11 WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE

13 UNITED STATES OF AMERICA,

14 NO. MJ22-603

15 Plaintiff,

16 COMPLAINT FOR VIOLATIONS:
17 18 U.S.C. § 2251(a), (e)

18 v.

19 BENJAMIN H. PFUND, Jr.,

20 Defendant.

21 BEFORE, the Honorable Michelle L. Peterson, United States Magistrate Judge, U.S.
22 Courthouse, Seattle, Washington.

23 **COUNT 1**
24 **(Production of Child Pornography)**

25 In or about 2022, in King County, within the Western District of Washington, and
26 elsewhere, BENJAMIN H. PFUND, Jr., employed, used, persuaded, induced, enticed,
27 and coerced a minor, to engage in sexually explicit conduct for the purpose of producing
28 a visual depiction of such conduct and transmitting any live visual depiction of such
conduct, and attempted to do so, knowing and having reason to know that such visual
depiction would be transported and transmitted using any means or facility of interstate
and foreign commerce, such visual depiction was transported and transmitted using any
means or facility of interstate and foreign commerce and in and affecting interstate and

1 foreign commerce, and such visual depiction was produced using materials that had been
2 mailed, shipped, and transported in interstate and foreign commerce.

3 All in violation of Title 18, United States Code, Section 2251(a), (e).

4 And the complainant states that this Complaint is based on the following
5 information:

6 I, Special Agent Benjamin M. Williamson, being duly sworn under oath, depose
7 and say:

8 **INTRODUCTION**

9 1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and
10 have been so since February 2007. I am assigned to the FBI Seattle Division, Child
11 Exploitation and Human Trafficking Task Force. As an FBI Special Agent, I have
12 received extensive training in a variety of investigative and legal matters of violations of
13 federal and state law. I have participated in numerous Child Exploitation investigations as
14 the primary investigator or in a subsidiary role. I have received training in the area of
15 child pornography and child exploitation and have had the opportunity to observe and
16 review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all
17 forms of media including computer media. Moreover, I am a federal law enforcement
18 officer who is engaged in enforcing the criminal laws, including 18 U.S.C. §§ 2251,
19 2252, and 2252A, and I am authorized by law to request a search warrant.

20 2. The facts set forth in this Complaint are based on my own personal
21 knowledge; knowledge obtained from other individuals during my participation in this
22 investigation, including other law enforcement officers; review of documents and records
23 related to this investigation; communications with others who have personal knowledge
24 of the events and circumstances described herein; and information gained through my
25 training and experience. I have not set forth all facts known to me as a result of this
26 investigation but only those facts I believe necessary to establish probable cause to
27 conclude that BENJAMIN H. PFUND, Jr., committed the offense(s) charged in this
28 Complaint.

SUMMARY OF THE INVESTIGATION

3. In December 2022, I received information from FBI headquarters concerning an individual who communicated with an undercover FBI agent and claimed to be sexually abusing a young girl.

4. This individual shared a photo of this young girl

Through further investigation, I identified this young girl as MV1, a child

5. On December 29, 2022, I led the law enforcement team executing a search warrant at this [REDACTED] home. Among others, I encountered BENJAMIN H. PFUND, Jr., a [REDACTED] in the residence. I advised PFUND of his constitutional rights, which he acknowledged he understood. And he provided the following information in a recorded interview:

- He has been sexually abusing MV1 for approximately two years. The acts of abuse include physical contact between his hands and mouth and MV1's genitals, as well as the penetration of MV1's vagina with his tongue. PFUND also described multiple instances in which MV1 touched, pulled on, and kissed his penis.
- In the summer of 2022, he created sexually explicit imagery of MV1 and shared that imagery with another offender over the internet. Specifically, he took photos of MV1's exposed genitals while she was posed in a dress with no underwear.
- He sent this imagery after receiving images purporting to be of that other offender's own child victim. He advised he produced these images with the intent to send the images to this other offender.
- He regularly uses the anonymous Tor network to access websites dedicated to the sexual exploitation of minors and child sexual abuse imagery.

- 1 • While accessing these websites, he has both posted child sexual abuse imagery to
2 them to be shared with other users and downloaded that imagery for his own
3 sexual gratification.
- 4 • He identified a Seagate external hard drive that he used to store child sexual abuse
5 imagery he downloaded. However, he claimed that he deleted all the imagery
6 from that drive approximately one week ago.
- 7 • He said he has had a sexual attraction to minor females most of his life and
8 explained his sexual preference is for pubescent girls between ten years old and
9 their early teens.
- 10 • He acknowledged sending non-sexually explicit photographs of MV1 to other
11 offenders online on multiple occasions.

12 6. During the search, agents seized several digital devices used by PFUND. A
13 forensic preview revealed evidence of the software used to access the Tor network as
14 well as a specialized software program designed to erase digital evidence from a storage
15 device. The forensic preview of the external hard drive uncovered no files depicting
16 child sexual abuse. This hard drive and the other devices seized during the search will be
17 further examined in a controlled forensic setting.

18 7. During a child forensic interview, MV1 confirmed that PFUND had taken
19 nude photos of her in the past [REDACTED]. MV1 did not
20 disclose any acts of physical sexual abuse, however.

21 8. During a child forensic interview of [REDACTED] MV2,
22 MV2 described a game she and MV1 played in which they would touch each other's
23 genitals.

24 9. When asked about this statement, PFUND said he was unaware of this
25 game but believed it likely arose due to his ongoing sexual abuse of MV1.

CONCLUSION

2 10. Based on the above facts, I respectfully submit that there is probable cause
3 to believe that BENJAMIN H. PFUND, Jr., committed the offense(s) charged in this
4 Complaint.

BENJAMIN M. WILLIAMSON, Assistant
Special Agent, FBI

SUBSCRIBED and SWORN to before me this 30th day of December, 2022.

MICHELLE L. PETERSON
United States Magistrate Judge